

**Notice of Allowability**

Application No.

09/856,143

Examiner

Nikita Wells

Applicant(s)

TANAKA, KEIICHI

Art Unit

2881

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to "Amendment" received 11 August 2004.
2. ☒ The allowed claim(s) is/are 1-19,22 and 24-34.
3. ☒ The drawings filed on 30 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 090104
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Nikita Wells  
Primary Examiner  
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### **DETAILED ACTION**

1. The Applicant amended claims 1, 7, 10, 11, 17, and 24, canceled claim 23, and added claims 25-34, according to the "Amendment" received August 11, 2004.

#### ***Claim Objections***

2. The Applicant has corrected the claim objections involved in claims 11, 17, and 24, by amending these claims as per the above mentioned "Amendment".

#### ***Allowable Subject Matter***

3. Claims 1-19, 22, and 24-34 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The Applicant demonstrated to the Examiner that the primary reference of K. Tanaka (6,339,266 B1), which was used for the 35 U.S.C. 102(e) rejection in the first office action, cannot be used as prior art since it was incorrectly chosen due to the priority date being March 18, 1999 as spelled out by the filing date of application No. PCT/JP99/01345. The Applicant's priority date, as shown by PCT/JP98/05373, is November 30, 1998. Therefore, the 35 U.S.C. 102(e) rejection is removed.

With respect to claims 1, 10, 25, and 30, K. Tanaka, and any other prior art, fails to disclose the feature of the present invention, in which an exposure apparatus using a stage unit having a movable stage comprises a driver that includes a mover and a stator to drive the movable stage; and a reaction canceling mechanism that applies to the stator a force to cancel a reaction acting on the stator due to driving of the mover by an electromagnetic interaction at least a part of the reaction canceling mechanism being disposed above the stator.

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With respect to the independent claims 11, 17, and 24, K. Tanaka, and any other prior art, fails to disclose an exposure apparatus using a stage unit having a movable stage comprising: an armature unit that includes a plurality of armature coils, which are arranged in the shape of a matrix and have current paths almost parallel to the predetermined plane; a magnetic pole unit that has a plurality of magnets magnetized in directions not perpendicular to the predetermined plane and two-dimensionally generates an alternating magnetic field with a period of  $4P/3$  in two axis-directions perpendicular to each other, between the armature coils and itself, practically without generating any magnetic field in an area opposite to the armature unit,  $P$  of the  $4P/3$  being a coil module width; and a current driver that moves the magnetic pole unit relatively to the armature unit in a plane parallel to the predetermined plane by supplying currents to the respective armature coils.

Therefore, the independent claims 1, 10, 11, 17, 24, 25, and 30 are allowed. The dependent claims 2-9 and 19; 12-16 and 22; 18; 26-29; and 31-34; are allowed by virtue of their dependence upon claims 1, 11, 17, 25, and 30, respectively.

### ***Conclusion***

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nikita Wells whose telephone number is (571) 272-2484. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on (571) 272-2477. The central fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nikita Wells, Primary Examiner

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September 1, 2004